

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 08-6389 AHM Bankruptcy Court Case No. 01-55137-wsj (San Jose) Adversary Case No. 08-05001 (San Jose)	Date	October 24, 2008
Title	SILICON VALLEY TELECOM EXCHANGE, LLC v. CORPORATE BUILDERS, INC. <i>et al.</i>		

Present: The Honorable	A. HOWARD MATZ, U.S. DISTRICT JUDGE		
Stephen Montes	Not Reported		
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys NOT Present for Plaintiffs:		Attorneys NOT Present for Defendants:	

Proceedings: IN CHAMBERS (No Proceedings Held)

On October 21, 2008, the Court ordered the parties to show cause by October 31, 2008 why the Court should not transfer this matter to the Bankruptcy Court for this district. On October 23, 2008, the Defendants in this interpleader action filed a status report stating that the parties have reached a complete settlement, and that they expect to sign a final settlement agreement within 60 days. They asked the Court to set a status conference in approximately 60 days, before which they would present this Court with settlement documents, a stipulation and a proposed order. On the same day, Barry R. Wegman, an attorney for Defendant David A. Tilem, filed a declaration requesting that the Court continue its October 31, 2008 Order to Show Cause for sixty days. It stated that if the parties do not complete settlement documentation by the continued date, "the Court can order the matter transferred to the bankruptcy court at that time."

Neither the status report nor the Wegman declaration address whether this Court has jurisdiction. The Court finds that it lacks jurisdiction. On that basis it transfers the case to the Bankruptcy Court for this District. The Clerk is ordered to transfer the file and take whatever additional action is necessary to implement this order.

Initials of Preparer

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